

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION
AT RICHMOND, APRIL 3, 2020

APPLICATION OF

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BETTER COST ENERGY LLC

CASE NO. PUR-2020-00054

For a license to do business as an electricity
and natural gas aggregator

ORDER FOR NOTICE AND COMMENT

On March 25, 2020, Better Cost Energy LLC ("Better Cost" or "Company") filed an application ("Application") with the State Corporation Commission ("Commission") for a license to do business as an electricity and natural gas aggregator in the Commonwealth of Virginia. The Company seeks authority to offer electricity and natural gas aggregation services to eligible commercial, industrial, and governmental customers throughout Virginia.¹ Better Cost attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.²

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket Better Cost's Application; Better Cost should serve this Order upon the appropriate persons; the Staff of the Commission ("Staff") should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons

¹ Retail choice for natural gas service presently exists only in the service territories of Washington Gas Light Company and Columbia Gas of Virginia, Inc. Access to large commercial and industrial gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s. Retail choice for electricity exists only in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Appalachian Power Company, and the electric cooperatives. Moreover, retail choice for electricity is only permitted pursuant to the customer classes, load parameter, and renewable energy sources as set forth in the Code of Virginia ("Code").

² 20 VAC 5-312-10 *et seq.*

should have an opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2020-00054.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),³ a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application and supporting documents may be viewed or downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.
- (4) On or before April 10, 2020, Better Cost shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.⁴
- (5) On or before April 17, 2020, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, of the State Corporation Commission.
- (6) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request to Peter Leiter, CFO, Better Cost Energy LLC, 12714 Veirs Mill Road, Suite 104, Rockville, Maryland 20853, or PLeiter@BetterCostEnergy.com. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

³ 5 VAC 5-20-10 *et seq.*

⁴ See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

(7) Written comments on the Application may be filed on or before April 22, 2020, with the Clerk of the Commission. A copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the email address set forth in Ordering Paragraph (6). All comments shall refer to Case No. PUR-2020-00054.

(8) The Staff shall analyze Better Cost's Application and shall present its findings in a Staff Report to be filed on or before April 29, 2020.

(9) On or before May 6, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission any response to the Staff Report.

(10) In accordance with the Commission's revised operating procedures during the COVID-19 emergency, all comments, pleadings, and documents shall be submitted electronically, via <https://www.scc.virginia.gov/case>, to the Clerk of the Commission to the extent authorized by the Commission's Rules of Practice.⁵

(11) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile or electronic mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(12) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to: Peter Leiter, CFO, Better Cost Energy LLC, 12714 Veirs Mill Road, Suite 104, Rockville, Maryland 20853, PLeiter@BetterCostEnergy.com; and C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 N. 9th Street, 8th

⁵ See *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020).

Floor, Richmond, Virginia 23219-3424, MBrowder@oag.state.va.us. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Public Utility Regulation.

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